

JS-6

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA**

BEACHBODY, LLC, a Delaware  
Limited Liability Company,

Plaintiff,

v.

DAVID TRIPLETT, an Individual; and  
DOES 1-10, Inclusive,

Defendants.

Case No.: CV14-03150- ODW (JCGx)

**FINAL JUDGMENT, INCLUDING  
PERMANENT INJUNCTION,  
AGAINST DEFENDANT  
DAVID TRIPLETT**

Hon. Judge Otis D. Wright II

The Court, pursuant to the Stipulation for Entry of Final Judgment, including Permanent Injunction (“Stipulation”), by and between Plaintiff BEACHBODY, LLC (“Plaintiff”), on the one hand, and Defendant DAVID TRIPLETT (“Defendant”), on the other, hereby ORDERS, ADJUDICATES and DECREES that final judgment, including permanent injunction, shall be and hereby is entered on the Complaint for Damages in the above-referenced matter as follows:

1           1.     **PERMANENT INJUNCTION.** Defendant and any person or entity  
2 acting in concert with, or at the direction of him, including any and all agents,  
3 servants, employees, partners, assignees, distributors, suppliers, resellers and any  
4 others over which he may exercise control, are hereby restrained and enjoined,  
5 pursuant to 15 U.S.C. § 1116, from engaging in, directly or indirectly, or  
6 authorizing or assisting any third party to engage in, any of the following activities  
7 in the United States and throughout the world:

8                 a.     copying, manufacturing, purchasing, importing, exporting,  
9 marketing, selling, offering for sale, distributing or dealing in any product or  
10 service that uses, or otherwise making any use of, any of Plaintiff's  
11 BEACHBODY® and FOCUS T25® trademarks and copyrights, and/or any  
12 intellectual property that is confusingly or substantially similar to, or that  
13 constitutes a colorable imitation of, any of Plaintiff's BEACHBODY® and  
14 FOCUS T25® trademarks and copyrights, whether such use is as, on, in or in  
15 connection with any trademark, service mark, trade name, logo, design, Internet  
16 use, website, domain name, metatags, advertising, promotions, solicitations,  
17 commercial exploitation, television, web-based or any other program, or any  
18 product or service, or otherwise;

19                 b.     performing or allowing others employed by or representing him,  
20 or under his control, to perform any act or thing which is likely to injure Plaintiff,  
21 any of Plaintiff's BEACHBODY® and FOCUS T25® trademarks and copyrights,  
22 and/or Plaintiff's business reputation or goodwill;

23                 c.     engaging in any acts of federal and/or state trademark and/or  
24 copyright infringement, false designation of origin, unfair competition, dilution, or  
25 other act which would tend damage or injure Plaintiff; and/or

26                 d.     using any Internet domain name or website that includes any of  
27 Plaintiff's Trademarks and Copyrights, including the BEACHBODY® and  
28 FOCUS T25® marks or works.

1           2. Defendant is ordered to deliver immediately for destruction all  
2 unauthorized products, including counterfeit BEACHBODY® and FOCUS T25®  
3 products and related products, labels, signs, prints, packages, wrappers, receptacles  
4 and advertisements relating thereto in his possession or under his control bearing  
5 any of Plaintiff's intellectual property or any simulation, reproduction, counterfeit,  
6 copy or colorable imitations thereof, and all plates, molds, heat transfers, screens,  
7 matrices and other means of making the same, to the extent that any of these items  
8 are in Defendant's possession.

9           3. This Final Judgment, including Permanent Injunction, shall be  
10 deemed to have been served upon Defendant at the time of its execution by the  
11 Court.

12           4. The Court finds there is no just reason for delay in entering this  
13 Permanent Injunction, and, pursuant to Rule 54(a) of the Federal Rules of Civil  
14 Procedure, the Court directs immediate entry of this Permanent Injunction against  
15 Defendant.

16           5. Plaintiff is entitled to recover and Defendant shall pay to Plaintiff the  
17 sum of Two Hundred Thirty Thousand Dollars (\$230,000.00) on Plaintiff's  
18 Complaint for Damages.

19           6. **NO APPEALS AND CONTINUING JURISDICTION.** No  
20 appeals shall be taken from this Final Judgment, including Permanent Injunction,  
21 and the parties waive all rights to appeal. This Court expressly retains jurisdiction  
22 over this matter to enforce any violation of the terms of this Final Judgment, and  
23 the Permanent Injunction herein.

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1           7.     **NO FEES AND COSTS.** Each party shall bear its/his own attorneys'  
2 fees and costs incurred in this matter.

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4           IT IS SO ORDERED, ADJUDICATED and DECREED this 14th day of  
5 July 2014.

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9           HON. OTIS D. WRIGHT II  
10          United States District Judge  
11          Central District of California